

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
(Northern Division)

H. KEVIN KNUSSMAN, :

Plaintiff, :

v. : Civil Action No. AMD-95-1255

STATE OF MARYLAND, *et al.*, :

Defendants. :

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UNOPPOSED MOTION FOR EXTENSION OF TIME

Plaintiff, by undersigned counsel, hereby moves that the time for him to file a new petition for attorneys' fees and expenses be stayed and not begin to run until a briefing schedule is entered.

Local Rule 109.2 provides that “[t]he memorandum required by L.R. 109.2.b must be filed . . . (unless otherwise ordered by the Court) in the event an appeal is taken from the underlying judgment, within fourteen days of the issuance of the mandate of the Court of Appeals.” In this case, the defendants did not appeal Judge Black’s judgment on the merits entered following a previous affirmance in part and reversal in part by the Fourth Circuit, but successfully appealed the amount of attorneys’ fees awarded. The Fourth Circuit’s mandate was entered on October 1.

Plaintiff plans to file a revised motion for attorneys’ fees and memorandum in support, modifying his previous fee petitions in light of the appellate opinion. Given that the fees were incurred by several different law offices over an eight-year period, and given counsel’s previous

obligations, it will take substantially longer than 14 days to compile this new fee petition and will probably take the defendants longer than 14 days to respond.

Plaintiffs have previously filed a petition (and two supplemental petitions) for attorneys' fees in this case, so it is not clear whether Local Rule 109.2.b's 14-day time limit applies. Nonetheless, out of an abundance of caution, plaintiff's counsel requests a ruling from the Court to clarify that the 14-day time limit does not apply. Accordingly, plaintiff requests that his time to file a new motion for attorneys' fees and memorandum in support thereof be stayed pending the entry of a briefing schedule in this matter.

Counsel for defendants has authorized us to state that they do not oppose this motion.

Respectfully submitted,

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